



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KLARQUIST SPARKMAN LLP
121 S.W. SALMON STREET
SUITE 1600
PORTLAND OR 97204

COPY MAILED

NOV 23 2005

OFFICE OF PETITIONS

In re Application of :
Weisman, et al. :
Application No. 09/872,614 : DECISION ACCORDING STATUS
Filed: June 1, 2001 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 3382-55666 :
For: PEER NETWORKING HOST FRAMEWORK :
AND HOSTING API :

This decision is in response to the petition under 37 CFR 1.47(a), filed June 1, 2001.

The petition is granted.

Petitioners have shown that the non-signing inventor, Christopher M. Rude, has constructively refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration/statement of facts of Attorney Stephen A. Wight establishes that the inventor was twice mailed the application papers, including the specification, claims and drawings, but failed to respond to the requests that he sign the enclosed declaration. While Exhibits B and C are missing from the petition, Attorney Wight has stated that no response was received from two mailings. This is sufficient to show Mr. Rude's constructive refusal to join in the filing of the application. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded Technology Center GAU 2152 for further examination.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive, flowing style with a large initial "E".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions